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OCT 18 2018 *MR*

STATE BAR COURT
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STATE BAR COURT OF CALIFORNIA

REVIEW DEPARTMENT

IN BANK

In the Matter of)	Case No. 18-Q-13826
)	
ANDREW HARRIS WILSON,)	RECOMMENDATION ON
)	RESIGNATION
A Member of the State Bar, No. 63209.)	
_____)	

On June 11, 2018, Andrew Harris Wilson filed a resignation with charges pending. On August 6, 2018, the Office of Chief Trial Counsel of the State Bar (OCTC) filed a report and recommendation regarding Wilson's resignation. OCTC recommends that Wilson's resignation be rejected. Based on OCTC's reports and recommendation, and in light of the grounds set forth in California Rules of Court, rule 9.21(d),¹ as detailed below, we recommend that the Supreme Court reject the resignation.

I. BACKGROUND

Wilson was admitted to practice law in California on December 18, 1974, and has no prior record of discipline. When Wilson filed his resignation on June 11, 2018, he had suffered a criminal conviction.

On January 25, 2018, Wilson pled guilty to violating title 18 United States Code section 371 (conspiracy to unlawfully sell unregistered securities), in violation of title 15 United States Code sections 77e(a)(1), 77e(a)(2), and 77x, and title 17 Code of Federal Regulations, section

¹ All further references to rule(s) are to this source unless otherwise noted.

230.144, a felony involving moral turpitude. On April 17, 2018, OCTC transmitted records of Wilson's conviction to this court (State Bar Court No. 18-C-10110). On May 10, 2018, we ordered that Wilson be placed on interim suspension, effective June 4, 2018, pending the final disposition of that proceeding. On September 28, 2018, we ordered OCTC to submit evidence of finality of Wilson's conviction.

II. CONSIDERATION OF THE GROUNDS SET FORTH IN RULE 9.21(d)

We have considered Wilson's resignation under the grounds set forth in rule 9.21(d), and summarize the relevant information for each ground:

1. Whether the preservation of testimony is complete.

OCTC reports that preservation of the evidence is not necessary in the pending matter.

2. Whether after transfer to inactive status, Wilson has practiced law or has advertised or held himself out as entitled to practice law.

OCTC reports that it has no evidence that Wilson has practiced law in California or held himself out as entitled to practice law in California since he was placed on interim suspension on June 4, 2018.

3. Whether Wilson performed the acts specified in rule 9.20(a)-(b).

On July 16, 2018, Wilson filed a Rule 9.20 declaration stating he had: no clients to notify of his suspension; no papers or property to which clients were entitled; and earned all fees paid to him as of the declaration's filing.

4. Whether Wilson provided proof of compliance with rule 9.20(c).

Wilson filed a Rule 9.20 declaration on July 16, 2018 with the State Bar Court.

5. Whether the Supreme Court has filed a disbarment order.

The Supreme Court has not filed a disbarment order.

6. Whether the State Bar Court has filed a decision recommending disbarment.

The State Bar Court has not filed a decision or opinion recommending Wilson's disbarment.

7. Whether Wilson previously resigned or has been disbarred and reinstated to the practice of law.

Wilson has not previously resigned or been disbarred in California.

8. Whether Wilson entered a stipulation with OCTC as to facts and conclusions of law regarding pending disciplinary matters.

Wilson and OCTC have not entered into a stipulation. OCTC emailed Wilson's counsel a draft stipulation on July 23, 2018. Wilson requested an extension until August 17, 2018 to finalize the stipulation. As of October 3, 2018, no stipulation has been filed.

9. Whether accepting Wilson's resignation will reasonably be inconsistent with the need to protect the public, the courts, or the legal profession.

We recommend rejecting Wilson's resignation for the reasons OCTC presented in its filings in this matter. Wilson: (1) committed a felony involving moral turpitude, which will result in his summary disbarment; and (2) he did not enter into a stipulation with OCTC. Under these circumstances, we find that Wilson should not be allowed the benefit of resigning because it would undermine public confidence in the disciplinary system and the legal profession.

III. RECOMMENDATION

We recommend that the Supreme Court decline to accept the resignation of Andrew Harris Wilson, State Bar number 63209.

PURCELL

Presiding Judge

CERTIFICATE OF SERVICE

[Rules Proc. of State Bar; Rule 5.27(B); Code Civ. Proc., § 1013a(4)]

I am a Court Specialist of the State Bar Court of California. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on October 18, 2018, I deposited a true copy of the following document(s):

RECOMMENDATION ON RESIGNATION FILED OCTOBER 18, 2018

in a sealed envelope for collection and mailing on that date as follows:

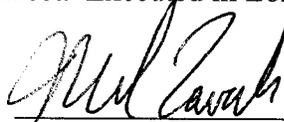
- by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

HARLAN B. WATKINS
MURPHY PEARSON ET AL
88 KEARNY ST 10FL
SAN FRANCISCO, CA 94108

- by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

Dina E. Goldman, Enforcement, San Francisco

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on October 18, 2018.



Mel Zavala
Court Specialist
State Bar Court